

**THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION  
CIVIL CASE NO. 1:16-cv-00310-MR-DLH**

**ROBERT A. MULLINAX, Individually, )  
as Executor of the Estate of Jack )  
Junior Waugh, Deceased, )**

**Plaintiff, )**

**vs. )**

**ADVANCE AUTO PARTS, INC., et al., )**

**Defendants. )**

**ORDER**

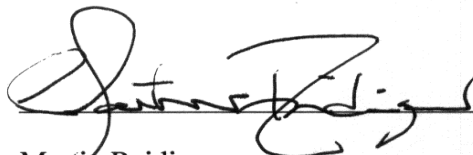
**THIS MATTER** is before the Court on the parties' Joint Motion to Dismiss [Doc. 258].

Upon review of the parties' motion,

**IT IS, THEREFORE, ORDERED** that the parties' Joint Motion to Dismiss [Doc. 258] is **GRANTED**, and all of the Plaintiff's claims against the Defendant Vanderbilt Materials, LLC (successor by merger to R.T. Vanderbilt Company, Inc. and incorrectly identified as successor in interest to International Talc Co.) are hereby **DISMISSED WITHOUT PREJUDICE**.

**IT IS SO ORDERED.**

Signed: January 30, 2018

  
Martin Reidinger  
United States District Judge

